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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COPY OF PAPERS
ORIGINALLY FILED

Applicant : William K. Lie et al.

Art Unit : Unknown

Serial No. : 09/982,720

Examiner : Unknown

Filed : October 18, 2001

Title : DOUBLE-FACE VELOUR FABRIC ARTICLES HAVING IMPROVED
DYNAMIC INSULATION PERFORMANCE

RECEIVED

MAR 26 2002

Commissioner for Patents
Washington, D.C. 20231

OFFICE OF PETITIONS

PETITION BY ASSIGNEE UNDER 37 C.F.R. 1.47(a) TO PROCEED IN THE
ABSENCE OF AN INVENTOR

Applicants hereby petition under 37 C.F.R. 1.47(a) to make this application on behalf of
Bhupesh Dua who cannot be reached after diligent effort. Mr. Dua's last known address is:

55 Beechwood Drive
Haverhill, MA 01830

Submitted in support of this petition are the following documents:

1) A combined declaration and power of attorney signed by all of the available joint
inventors, including Moshe Rock, Edward P. Dionne, Charles Haryslak, William K. Lie, and
Douglas Lumb, which is also signed on behalf of the unavailable joint inventor, Bhupesh Dua,
by Ernst Weglein, the Clerk of Malden Mills Industries, Inc. ("Malden Mills"). Under
Massachusetts law, the "Clerk" of a corporation is a corporate officer.

2) A copy of an "EMPLOYEE NONCOMPETITION, NONSOLICITATION,
NONDISCLOSURE AND ASSIGNMENT OF INVENTIONS AGREEMENT" executed by Mr.
Dua, which indicates Mr. Dua's assignment of intellectual property rights, including patent
rights, to Malden Mills. This document also indicates Mr. Dua's designation and appointment of

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being
deposited with the United States Postal Service as first class mail with
sufficient postage on the date indicated below and is addressed to the
Commissioner for Patents, Washington, D.C. 20231.

January 22, 2002
Date of Deposit

Diane M Miles
Signature

Diane M Miles
Typed or Printed Name of Person Signing Certificate

02/25/2002 RHARIS1 00000019 09982720

02 FC:122

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Malden Mills "and its duly authorized officers and agents as [Mr. Dua's] agent and attorney in fact, to act for [Mr. Dua] to execute and file any such application. . ."

3) A check for \$130.00 in payment of the required fee under 37 CFR 1.17(h) for the Petition under 37 CFR 1.47(a).

4) A declaration of facts as to proof of the unavailability of the non-signing inventor, Bhupesh Dua, by Felicia Siggins, the person with personal knowledge of the relevant facts. (Separate documents are attached to the declaration of facts evidencing the unavailability of this inventor).

5) A copy of a letter dated October 31, 2001, and signed by Ernst Weglein, then Clerk of Malden Mills, stating the last known address of Bhupesh Dua.

We note that the correspondence mailed to Mr. Dua, as described in Ms. Siggins' declaration (item (4) above), did not include a copy of the patent application. However, because this letter apparently never reached Mr. Dua, i.e., it was returned, unopened, this defect had no bearing on the failed attempt to obtain Mr. Dua's signature on the declaration. In fact, we submit that the failure to include the patent application in the correspondence is irrelevant with regard to Mr. Dua's status as an "unavailable inventor."

However, in an effort to be thorough, the undersigned has, simultaneously with the mailing of this petition, made a second attempt to obtain Mr. Dua's declaration by mailing a letter to Mr. Dua's last known address requesting Mr. Dua's signature on a combined declaration and power of attorney and enclosing a copy of the patent application, as filed.

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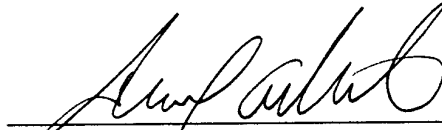
Please contact the undersigned if additional information becomes necessary during consideration of this Petition.

Please charge any additional fees, or make any credits, to Deposit Account No. 06-1050.

Respectfully submitted,

Date:

January 22, 2002



Timothy A. French
Reg. No. 30,175

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